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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,819	06/21/2006	Laurent Keravec	59347US005	6870

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EXAMINER

NORDMEYER, PATRICIA L

ART UNIT	PAPER NUMBER
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1794

NOTIFICATION DATE	DELIVERY MODE
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02/01/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LegalUSDocketing@mmm.com
LegalDocketing@mmm.com

Office Action Summary

Application No.

10/583,819

Applicant(s)

KERAVEC ET AL.

Examiner

Patricia L. Nordmeyer

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 12-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/22/06</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 12, 14, 15, 17 – 19, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Madole, Jr. (USPN 5,299,833).

Madole, Jr. discloses a pad assembly (Figure 5) comprising: a plurality of flexible sheets (Figure 5, S), each sheet being generally rectangular (Figures 3 and 4), of the same size (Figure 3) and said sheets having front and rear surfaces (Column 3, lines 4 and 28 – 31) and peripheral edges including first and second opposite edges (Figure 3), said sheets having a band of repositionable pressure sensitive adhesive coated on said rear surface for adhering adjacent sheets together (Figures 2, and 3, #22a and 22b), said band being substantially parallel to the first and second edges (Figures 2, and 3, #22a and 22b) and being spaced by a first predetermined spacing from said first edge and by a second predetermined spacing from said second edge (Figures 2, #22b), wherein the ratio between the first predetermined spacing from the edge of the band closest to said first edge to said first edge and the second predetermined spacing from the edge of the band closest to said second edge to said second edge is in the range of 0.1 to 10 (Figure 3, #22b) as in claim 12. Regarding claim 14, said band of repositionable pressure sensitive extends continuously across the rear surface of said sheet between a first side edge and

Art Unit: 1794

a second side edge, which side edges are perpendicular to the first and second edge (Figure 3, #22b). With regard to claim 15, wherein the ratio between the spacing from the edge of the band closest to said first edge to said first edge and the spacing from the edge of the band closest to said second edge to said second edge is in the range of about 0.25 to 4 ((Figure 3, #22b). As in claims 17 and 18, the ratio between the area of the rear side which is coated with adhesive to the area without adhesive is in the range of about 0.1 to 0.4 (Figure 3, #22b), and the ratio between the width of the band perpendicular to the first edge and the sum of the first predetermined spacing and the second predetermined spacing is in the range of about 0.1 to 0.4 ((Figure 3, #22b. Regarding claim 19, a protective back sheet or back card having a front surface, the rear surface of the bottom most sheet in the pad being adhesively attached to the front surface of the back sheet or back card, and the front surface of the back sheet or back card being at least coextensive with the sheets in the pad (Column 2, lines 10 – 14). Madole, Jr. also discloses a method of applying an adhesive sheet to a surface, with the steps of: peeling an uppermost sheet from the pad assembly, and adhering said sheet to said generally vertical surface (Column 1, lines 40 – 43) as in claims 21 and 22.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1794

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Madole, Jr. (USPN 5,299,833) in view of Tayebi (USPN 5,989,667).

Madole, Jr. discloses a pad assembly (Figure 5) comprising: a plurality of flexible sheets (Figure 5, S), each sheet being generally rectangular (Figures 3 and 4), of the same size (Figure 3) and said sheets having front and rear surfaces (Column 3, lines 4 and 28 – 31) and peripheral edges including first and second opposite edges (Figure 3), said sheets having a band of repositionable pressure sensitive adhesive coated on said rear surface for adhering adjacent sheets together (Figures 2, and 3, #22a and 22b), said band being substantially parallel to the first and second edges (Figures 2, and 3, #22a and 22b) and being spaced by a first predetermined spacing from said first edge and by a second predetermined spacing from said second edge (Figures 2, #22b), wherein the ratio between the first predetermined spacing from the edge of the band closest to said first edge to said first edge and the second predetermined spacing from the edge of the band closest to said second edge to said second edge is in the range of 0.1 to 10 (Figure 3, #22b). However, Madole, Jr. fails to disclose said band comprising a plurality of repositionable pressure sensitive adhesive stripes being substantially parallel to the first and second edges and being spaced from neighboring stripes by areas which comprise no adhesive.

Tayebi teaches an assembly comprising a plurality of repositionable pressure sensitive adhesive stripes being substantially parallel to the first and second edges and being spaced from neighboring stripes by areas which comprise no adhesive (Figure 5-D, #8) for the purpose of having an assembly that has an expanded utility (Column 2, lines 43 - 44).

Art Unit: 1794

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the additional repositionable pressure sensitive adhesive stripes in Madole, Jr. in order to have an assembly that has an expanded utility as taught by Tayebi.

5. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madole, Jr. (USPN 5,299,833) in view of Bodziak et al (USPN 5,011,186).

Madole, Jr. discloses a pad assembly (Figure 5) comprising: a plurality of flexible sheets (Figure 5, S), each sheet being generally rectangular (Figures 3 and 4), of the same size (Figure 3) and said sheets having front and rear surfaces (Column 3, lines 4 and 28 – 31) and peripheral edges including first and second opposite edges (Figure 3), said sheets having a band of repositionable pressure sensitive adhesive coated on said rear surface for adhering adjacent sheets together (Figures 2, and 3, #22a and 22b), said band being substantially parallel to the first and second edges (Figures 2, and 3, #22a and 22b) and being spaced by a first predetermined spacing from said first edge and by a second predetermined spacing from said second edge (Figures 2, #22b), wherein the ratio between the first predetermined spacing from the edge of the band closest to said first edge to said first edge and the second predetermined spacing from the edge of the band closest to said second edge to said second edge is in the range of 0.1 to 10 (Figure 3, #22b). However, Madole, Jr. fails to disclose the width of the flexible sheets is in the range of about 30 mm to 150 mm and the length of the flexible sheets is in the range of about 30

Art Unit: 1794

mm to 200 mm and the band of repositionable pressure sensitive adhesive is the only means which connects two adjacent sheets.

Bodziak et al. disclose a pad assembly (Figure 1, #10) made with flexible sheets (Figures 1 and 2, #12) where the width of the flexible sheets is in the range of about 30 mm to 150 mm and the length of the flexible sheets is in the range of about 30 mm to 200 mm (Column 2, lines 20 – 27) and the band of repositionable pressure sensitive adhesive is the only means which connects two adjacent sheets (Figures 1 and 2, #20) for the purpose of forming a pad assembly that has adequate area to write information upon in large print (Column 2, lines 22 – 24)..

It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have provided the size of the sheets and only a band of repositionable pressure sensitive adhesive connecting the sheets in Madole, Jr. in order to form a pad assembly that has adequate area to write information upon in large print.

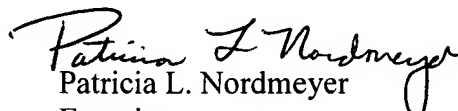
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Nordmeyer whose telephone number is (571) 272-1496. The examiner can normally be reached on Mon.-Thurs. from 10:00-7:30 & alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena L. Dye can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1794

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Patricia L. Nordmeyer
Examiner
Art Unit 1794

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